

REMARKS

Claims 1-5, 9 and 10 are pending in this application. By this Amendment, claims 1, 2, 5, 9 and 10 are amended. Support for the amendments to claims 1, 5, 9 and 10 can be found in at least paragraph [0099] of the specification. Claim 2 is amended to avoid redundancy with claim 1. No new matter is added. Reconsideration of the application in view of the above amendments and following remarks is respectfully requested.

The Office Action (1) rejects claims 1, 3 and 9 under 35 U.S.C. §102(e) over Ahlgren et al. (Ahlgren), U.S. Patent No. 6,968,209; (2) rejects claim 2 under 35 U.S.C. §103(a) over Ahlgren in view of Duncombe et al. (Duncombe), U.S. Patent Application Publication No. US 2003/0120685 A1; and (3) rejects claims 4, 5 and 10 under 35 U.S.C. § 103(a) over Ahlgren in view of Fallenstein, U.S. Patent Application Publication No. US 2003/0050010 A1. The rejections are respectfully traversed.

None of the applied references, either individually or in combination, discloses or suggests (1) a data expanding device to detect whether the backup data has been corrupted and, if so, quits an updating process and erases the received backup data, as recited in independent claims 1 and 5; and (2) the step of detecting whether the backup data has been corrupted and, if so, quitting an updating process and erasing the received backup data, as recited in independent claims 9 and 10.

With respect to features (1) and (2), the Office Action acknowledges that Ahlgren fails to disclose the claimed data expanding device. The Office Action asserts that Duncombe discloses a data expanding device in paragraph [0029] that expands compressed backup data. However, Duncombe is silent as to a data expanding device to detect whether the backup data has been corrupted and, if so, quits an updating process and erases the received backup data, as recited in independent claims 1 and 5; and (2) the step of detecting whether the backup data has been corrupted and, if so, quitting an updating process and erasing the received

backup data, as recited in independent claims 9 and 10. Further, Fallenstein fails to overcome the deficiencies of Ahlgren and Duncombe. Thus, claims 1, 5, 9 and 10 are patentable over Ahlgren on its own or in combination with either Duncombe or Fallenstein. Because claims 2-4 depend from independent claim 1, these claims also are patentable over the applied references. Withdrawal of the rejection is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-5, 9 and 10 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


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